



TEMPORARY ADMINISTRATIVE ORDER

INCLUDING STATEMENT OF NEED & JUSTIFICATION

RC 22-2026

CHAPTER 462

OREGON RACING COMMISSION

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ARCHIVES DIVISION SECRETARY OF STATE & LEGISLATIVE COUNSEL

FILING CAPTION: Amends 462-140-0320 (6)(i) expands EIA testing requirements when a material risk exists.

EFFECTIVE DATE: 07/08/2026 THROUGH 01/03/2027

AGENCY APPROVED DATE: 07/08/2026

CONTACT:

Karen Parkman

503-853-5927

Karen.parkman@orc.oregon.gov

PO Box 366

Gresham, OR 97030

Filed By:

Karen Parkman

Rules Coordinator

NEED FOR THE RULE(S):

An active equine infectious anemia investigation in the State of Washington, combined with ongoing horse movement between the Washington and Oregon racing circuits, creates an immediate and material risk of equine infectious anemia introduction onto Oregon association grounds.

JUSTIFICATION OF TEMPORARY FILING:

There is an active equine infectious anemia (EIA) investigation in the State of Washington, This combined with ongoing horse movement between the Washington and Oregon racing circuits, creates an immediate and material risk . The existing annual race entry Coggins test requirement under OAR 462-140-0320(6)(i) does not address exposure that may have occurred after prior testing. Immediate adoption of point-of-meet testing authority is necessary to protect animal health and welfare and to preserve the integrity of the Oregon racing circuit. The serious prejudice to the public interest consists of the risk of disease introduction, spread, and the potential for equine quarantine, euthanasia, or meet shutdown if action is delayed. Notice and public comment prior to adoption is impractical under these circumstances.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Documents are stored electronically with the agency and are available upon request.

RULE SUMMARY: Amends 462-140-0320 (6)(i) to allow the agency to require Coggins testing when a material risk of EIA exists.

CHANGES TO RULE:

462-140-0320

Trainer ¶¶

(1) The trainer shall be responsible for and shall be the absolute insurer of the condition of horses entered in an official workout or race, regardless of the acts of third persons.¶¶

(a) The trainer is responsible for the presence of any prohibited drug, medication or other substance, including permitted medication in excess of the maximum allowable level, in such horses. A positive test for a prohibited drug, medication or substance, including permitted medication in excess of the maximum allowable level, as reported by a commission approved laboratory, is prima facie evidence of a violation of this rule.¶¶

(b) If any of the trainer's duties are delegated to other personnel, the trainer remains responsible if those jobs are not properly done.¶¶

(c) The trainer shall be responsible for the condition and contents of stalls, tack rooms, and other areas which have been assigned to the trainer by the association.¶¶

(2) No trainer shall practice his/her profession except under the trainer's real and true name.¶¶

(3) A trainer is responsible for insuring that all employees and owners under his/her supervision, and any other person who assists the trainer in the performance of his/her duties, are properly licensed with the commission and shall report to the commission within 24 hours the discharge or change of any permanent employee.¶¶

(4) When a trainer is unable to perform the duties required of the trainer for a period of more than 24 hours, the trainer shall promptly notify the stewards and shall recommend another qualified person to assume the responsibilities of the trainer, subject to approval of the stewards. The trainer shall immediately advise the stewards when the regular trainer resumes his/her duties.¶¶

(5) The trainer shall ensure that all horses under his/her care are in sound racing condition and are eligible under the conditions of the race before entering a horse in any race. If a trainer discovers that an entered horse is ineligible or no longer meets all entry requirements and conditions of the race, or is not in sound racing condition, the trainer shall immediately notify the racing secretary and submit any required form. A horse is not in sound racing condition if it is ill, lame, injured, not properly plated, is blind, or its vision is seriously impaired in both eyes.¶¶

(6) It shall be the responsibility of the trainer to:¶¶

(a) Attend their horse in the paddock, saddle and/or supervise the saddling of the horse, unless the permission of the stewards has been given to send another licensed trainer as a substitute.¶¶

(b) Maintain the assigned stable area in a clean, neat and sanitary condition at all times.¶¶

(c) Ensure that fire prevention rules are strictly observed in the assigned stable area.¶¶

(d) Ensure the proper identity, custody, care, health, condition and safety of horses in his/her charge.¶¶

(e) Disclose the true and entire ownership of each horse in his/her care, custody or control. Any change in ownership shall be reported immediately to, and approved by, the stewards and recorded by the racing secretary.¶¶

(f) Train all horses owned wholly or in part by him/her which are participating at the meeting.¶¶

(g) Register with the racing secretary each horse in his/her charge within 24 hours of the arrival on association grounds.¶¶

(h) Ensure that, at the discretion of the Oregon Racing Commission, upon arrival at a licensed racetrack, each horse in his/her care is accompanied by a valid health certificate which shall be filed with the racing secretary.¶¶

(i) All equines must have a negative Official Test for equine infectious anemia (EIA) conducted within twelve months. The negative EIA test shall be filed as evidence with the racing secretary.¶¶

(A) In addition to regular seasonal EIA testing, if the Commission determines that a material risk of equine infectious anemia exists, all equines on the grounds of a licensed race meet under the jurisdiction of the ORC may be required to retest for EIA anytime at the discretion of the commission or as directed by the Oregon Department of Agriculture. Notifications will be issued by the Commission directing a date or dates testing will take place for an Official EIA Test designated by the Commission.¶¶

(B) Testing required under the determination that a material risk exists, shall be administered by a Commission-licensed veterinarian or a representative from the State Agricultural Department at a time and race meet location designated by the Commission.¶¶

(C) The requirement to submit to testing under this rule applies to all equines on grounds without exception, including horses entered to race, pony horses, outrider horses, lead ponies, and any other equines present on

association grounds regardless of racing or non-racing status.¶

(D) An equine for which a current negative Official EIA Test result was obtained within a specific number of days specified by the senior ORC veterinarian immediately preceding the designated testing date is not required to be retested, provided that a copy of the negative test result is on file with the racing secretary prior to the designated testing date.¶

(E) Haul-Ins and Subsequent Arrivals. Any equine that arrives on association grounds after the designated testing date, or that was not available for testing on the designated date for any reason, shall be submitted to an Official EIA Test on the next date on which Commission staff or a Commission-designated veterinarian is present on grounds. No such equine shall be eligible to be present on or used on association grounds until a current negative Official EIA Test result has been filed with the racing secretary.¶

(F) Ineligibility Upon Non-Compliance. Any equine that is not submitted to testing within the period prescribed under this rule, or for which the trainer of record fails to file evidence of a current negative Official EIA Test result with the racing secretary, shall be immediately scratched from all race entries and shall not be permitted to remain on or be used on association grounds until compliance is achieved.¶

(j) Use the services of those veterinarians licensed by the Commission to attend horses that are on association grounds.¶

(k) Promptly report the death of any horse in his/her care on association grounds to the commission veterinarian and to maintain compliance with the rules in governing post-mortem examinations.¶

(l) Maintain knowledge of medication record and status of all horses in his/her care.¶

(m) Immediately report to the stewards and the official veterinarian if he/she knows, or has cause to believe, that a horse in his/her custody, care or control has received any prohibited drug or medication.¶

(n) Represent an owner in making entries and scratches.¶

(o) Ensure the fitness of a horse to perform creditably at the distance entered.¶

(p) Ensure that his/her horses are properly shod, bandaged and equipped.¶

(q) Attend the collection of urine or blood sample from the horse in his/her charge or delegate a licensed representative or the owner of the horse to do so.¶

(r) Notify horse owners upon the revocation or suspension of his/her trainer's license. Upon application by the owner, the stewards may approve the transfer of such horses to the care of another licensed trainer, and upon such approved transfer, such horses may be entered to race.¶

(7) No trainer shall remove or permit to be removed from the racecourse any horse under his or her care without written permission of the racing secretary.¶

(8) The trainer shall see to it that the foal certificate of any horse in his/her care shows if a horse has been nerved, and shall verify that the horse's name is on the list of nerved horses posted by the racing secretary, and shall inform the commission veterinarian of any nerved horses.¶

(9) No trainer shall employ a jockey for the purpose of preventing the jockey from riding in any race.¶

(10) Any trainer that accepts the responsibility, either whole or in part, for the care or racing of another trainer's horse or horses may be held equally responsible for any violation of the Oregon rules of racing that occur while in his/her care.

Statutory/Other Authority: ORS 462.270(3)

Statutes/Other Implemented: ORS 462.270